

The article in the new
Constitution relating to the
Legislature shall be as
follows

Article Blank

"SEC. 1. The Legislative power of this State shall be vested in a Senate and Assembly, which shall be designated the Legislature of the State of California, and the enacting clause of every law shall be as follows: 'The People of the State of California, represented in Senate and Assembly, do enact as follows.'"

Sec 2. The Senate shall consist of fifteen members, and the Assembly of forty-five members, all to be elected by single districts as hereinafter provided.

SEC. 3. The members of the Senate and Assembly shall be chosen by the qualified electors of their respective districts under this Constitution, as follows: The first election for members of both houses of the Legislature shall be on the first Wednesday of September, 1879, and their term of office shall be three years. The second election for members of the Legislature shall be on the first Tuesday after the first Monday in November, 1882; and their term of office shall be four years, and every four years thereafter on the same day of the same month, the members of the Legislature shall continue to be chosen for the same term of office of four years.

SEC. 4. No person shall be qualified to be a member of the Legislature of the State of California, except he shall have been a citizen of the United States for at least ~~three~~ ^{four} years and a *bona fide* resident of the State for the ~~five~~ ^{four} years preceding his election and a qualified elector in the district he represents.

SEC. 5. The first regular session of the Legislature shall commence on the first Tuesday after the 1st Monday in January, 1880, and may continue in session for one hundred days, exclusive of Sundays, at the per diem pay for each member of six dollars. The second regular session shall commence on the first Tuesday after the first Monday in January, of the year 1883, and may continue in session for sixty days at the same per diem pay for the members as that of the preceding Legislature. Thence afterwards at the expiration of each four years, dating from the first Tuesday after the first

Monday in January, 1883, the Legislature shall convene in regular session, and continue as long in session as shall seem to be for the welfare of the State and no longer. For which the members shall be paid a per diem of ten dollars for the first thirty working days, and nothing after the expiration of said thirty days.

SEC. 6. Members of the Legislature, before they enter upon their official duties, shall take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of California, and I will faithfully discharge the duties of Senator or Assemblyman according

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to the best of my ability. That I have not knowingly or intentionally paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill the said office; that I have not accepted, nor will I accept or receive, directly or indirectly, any money, office, promise, position, place or thing from any corporation, company or person, for any vote or influence I may give or withhold on any bill, resolution or other official act."

This oath, or affirmation, shall be administered by a Judge of the Supreme Court or District Court, in the Hall of the House to which the member is elected, and the Secretary of State shall record said oath subscribed by each member. Any member who shall refuse to take the oath or affirmation herein presented shall thereupon forfeit his office, and every member who shall be convicted of having sworn or affirmed falsely, to, or in violation of said oath or affirmation, shall thereupon forfeit his office, and be disqualified thereafter from holding any office of profit or trust in this State, and may be punished as provided for perjury in other cases.

SEC. 7. At the first session of the Legislature after the adoption of this Constitution, and as often as once in ten years thereafter, it shall apportion the State

into as many Congressional Districts as California is allowed members in Congress; and, also, into fifteen State Senatorial Districts and forty-five Assembly Districts. In making these apportionments, the division of counties must be avoided except where a county is entitled to two or more Assemblymen or Senators. Equality in population must also be observed as far as it is practicable, and no one county shall ever be entitled to more than three of the State Senators. Every district named in this section shall be composed of contiguous and compact territory as far as that may be practicable.

SEC. 8. For the purpose of the election to take place in the month of September, 1879, the State is hereby divided into Senate and Assembly Districts, as follows:

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SEC. 9. The sessions of the Legislature shall commence at twelve o'clock on the days and years heretofore provided.

SEC. 10. The Secretary of State shall call the Senate to order at the opening of each new Senate, and preside over it until a temporary presiding officer thereof shall have been chosen and shall have taken his seat.

SEC. 11. The Attorney General of the State shall call the Assembly to order at the opening of each new Assembly, and preside over it until a temporary presiding officer thereof shall have been chosen and taken his seat.

SEC. 12. The Senate shall choose from its own body a President, and the Assembly, from its own body, a Speaker.

SEC. 13. Each House shall choose its own officers, and judge of the qualifications, elections and returns of its own members.

SEC. 14. A majority of the members elected to each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day,

and may compel the attendance of absent members, in such manner and under such penalties as each House may provide.

SEC. 15. Each House shall determine the rules of its own proceedings, and may, with the concurrence of two-thirds of all the members elected, expel a member, but no member shall be twice expelled for the same offense.

SEC. 16. Each House may punish by imprisonment any person, not a member, for disorderly or contemptuous behavior in its presence, but such imprisonment shall not extend beyond that session.

SEC. 17. Each House shall keep a journal of its own proceedings, and publish the same; and the yeas and nays of the members of either House, on any question, shall, at the request of any three members present, be entered on the journal.

SEC. 18. The enacting clause of every law shall be "The People of the State of California do enact as follows."

SEC. 19. All bills shall originate in the House of Assembly but may be amended by the Senate.

SEC. 20. No bill shall become a law without the concurrence of a majority of the members elected to each House. Every bill, having passed both Houses, shall be signed by the President of the Senate and Speaker of the House, and submitted to the Governor for his approval.

SEC. 21. No act of the Legislature shall embrace more than one subject, and that shall be expressed in its title; but if any subject shall be embraced in an act which is not expressed in its title, such act shall be void only as to so much thereof as is not so expressed.

SEC. 22. No law shall be revised or amended by reference to its title only, but the law revised or the section amended shall be inserted at length in the new act and no act shall be revised by the repeal of a repealing act.

SEC. 23. No act of the Legislature shall take effect until the first day of July next after its passage unless otherwise expressed in the last section of the act.

PRIVILEGES AND DISABILITIES.

SEC. 24. Members of the Legislature shall in all cases except treason, felony and breach of the peace, be privileged from arrest while the Legislature is in session, and they shall not be subject to any civil process during the session of the Legislature nor for fifteen days next before the commencement and after the termination of each session.

SEC. 25. No person elected to the Legislature shall receive any civil appointment within this State from the Governor, the Governor and Senate, or from the Legislature, during the term for which he shall have been elected, nor within a year thereafter, under any law passed while he was a member, and all such appointments shall be void.

SEC. 26. No member of the Legislature shall be interested, directly or indirectly, in any contract with the State, or any county, or city and county, or other municipal corporation thereof, authorized by any law passed during the term for which he shall have been elected, or within one year after the expiration of his term of office.

SEC. 27. The Legislature shall make no appropriation of money out of the Treasury in any private bill.

SEC. 28. Bills making appropriations for the pay of members and officers of the Legislature, and for salaries of the officers of the State, shall contain no provision on any other subject.

SEC. 29. Bills making appropriations for the support of institutions of the State and asylums shall contain no provisions on any other subject.

SEC. 30. No money shall be drawn from the State Treasury, except in pursuance of an appropriation made by law.

SEC. 31. In addition to the pay heretofore provided for members of the Legislature each member shall be entitled to receive as mileage three dollars for every twenty miles of travel to and from their residence to the place of holding the session. Each member shall also receive at each regular session an additional sum of fifty dollars, which shall be in full for all stationery used, and all postage, and all other incidental expenses, and no allowance or emolument for any purpose whatever shall be made to or received by any member of either House for his use out of the contingent fund or otherwise, except as herein expressly provided, and no allowance, extra pay or emoluments, for any purpose whatever, shall ever be paid to any officer, agent, clerk, servant or employee of either House of the Legislature, or of any committee thereof, except such per diem as may be provided for by law, not exceeding five dollars per day.

SEC. 32. The Legislature shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets, or tickets in any scheme in the nature of a lottery in this State.

SEC. 33. The census, taken under the direction of the Congress of the United States in every ten years, shall be the basis of fixing and adjusting the Congressional and Legislative districts.

SEC. 34. No person holding any office under the United States, or any other powers, shall be eligible to any civil office of profit under this State government.

SEC. 35. No person who shall be convicted of the embezzlement or defalcation of the public funds of this State shall ever be eligible to any office of honor, trust or profit under this State, and the Legislature should as soon as practicable pass a law providing for the punishment of such embezzlement or defalcation as a felony.

SEC. 36. An accurate statement of the receipts and expenditures of the public moneys shall be attached to,

and published to, and published with the laws at every regular session of the Legislature.

SEC. 37. Every bill shall be read at length on three different days in each House, and all amendments made thereto shall be printed for the use of the members, before the final vote is taken on its passage.

SEC. 38. The Governor, and Justices of the Supreme Court, and Judges of the District Courts shall be liable to impeachment for misdemeanor in office, but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit under the State, but the party convicted or acquitted shall nevertheless be liable to indictment, trial and punishment, according to law. All other officers shall be tried for misdemeanor in office as the Legislature may provide.

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SEC. 39. The Assembly shall have the sole power of impeachment and all impeachments shall be tried by the Senate. When sitting for this purpose the Senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the whole number of Senators.

SEC. 40. When vacancies occur in either House, the Governor, or the person exercising the functions of the Governor, shall issue writs of election to fill such vacancies.

SEC. 41. The doors of each House shall be open, except on such occasions as, in the opinion of the House, may require secrecy.

SEC. 42. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

SEC. 43. Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve it he shall sign it, but if not, he shall return it, with his objections, to the House of the Assembly, which shall enter the same upon the Journal, and proceed to reconsider it.

If, after such reconsideration, it again pass both Houses, by yeas and nays, by a majority of two-thirds of the members of each House present, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within ten days after it shall have been presented to him (Sundays excepted), the same shall become a law, in like manner as if he had signed it, unless the Legislature, by adjournment, prevents such return, in which case it shall not become a law, unless the Governor, within ten days after such adjournment (Sundays excepted), shall sign and deposit the same in the office of the Secretary of State, in which case it shall become a law, in like manner as if it had been signed by him before adjournment. If any bill presented to the Governor contain several items of appropriation of money, he may object to one or more items, while approving other portions of the bill; in such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the reasons therefore; and the appropriations so objected to, shall not take effect, unless passed over the Governor's veto, as hereinbefore provided. If the Legislature be in session, the Governor shall transmit to the House of Assembly a copy of such statement, and the items so objected to shall be separately reconsidered, in the same manner as bills which have been disapproved by the Governor.

SEC. 44. Neither the Legislature, nor any county, city and county, township, school district, or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever or grant anything to, or in aid of any religious sect, church, creed or sectarian purpose, or help to support or sustain any school, college or university, or other institution controlled by any religious creed, church or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State or by any city, city and county, town or other municipal corporation for any religious creed, church, or sectarian purpose whatever.

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SEC. 46 The Legislature shall have no power to give or to lend or to authorize the giving or lending of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof in any manner whatever for the payment of the liabilities of any individual, association, municipal or other corporation whatever, nor shall it have power to make any grant or authorize the making of any grant of any public money or thing of value to any individual, municipal or other corporation whatever; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever.

SEC. 46 The Legislature shall have no power to grant, or to authorize any county or municipal authority to grant, any extra compensation or allowance to any public officer, agent, servant or contractor, after service has been rendered or a contract has been entered into or performed in whole or in part, nor to pay or authorize the payment of any claim hereafter created against the State, or any county or municipality of the State, under any agreement or contract made without express authority of law, and all such unauthorized agreements or contracts shall be null and void.

SEC. 47 No bill shall be considered for final passage unless the same has been reported upon by a committee and printed for the use of the members.

SEC. 48 Upon the final passage of every bill in each House, the vote shall be taken by yeas and nays, and entered upon the journal; and no bill shall be passed unless a majority of all the members elected to each House shall vote therefor on its final passage.

SEC. 49 The Legislature shall not pass local or special laws in any of the following enumerated cases;

that is to say, changing the names of persons or places; changing county seats or locating them, except upon the organization of a new county; regulating county and township affairs; regulating the practice in courts of justice; regulating the jurisdiction and duties of Justices of the Peace, Police Judges and Constables; providing for changes of venue in civil or criminal cases; providing for the election of members of the Boards of Supervisors; summoning and impaneling grand and petit juries; providing for the management of common schools; the opening and conducting of elections, or designating the place of voting; the sale or mortgage of any property belonging to minors or others under disability; the protection of game or fish; chartering or licensing ferries or toll bridges; remitting fines, penalties or forfeitures; creating, increasing or decreasing salaries, fees, percentage or allowance of public officers during the term for which said officers are elected or appointed; changing the law of descent; authorizing or directing the payment of money by any county, city and county, or other municipal corporation. All legislation of this character, and which is strictly local in its operation and which cannot be beneficially reached by general laws, shall be intrusted to the Board of Supervisors of the respective counties of the State and there guarded from abuse by appropriate State legislation.

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"SEC. 50. Corporations may be formed under general laws, but shall not be created by special Act, except for municipal purposes. All general laws and special Acts passed pursuant to this section may be altered from time to time, or repealed."

"SEC. 51. Dues from corporations shall be secured by such individual liability of the corporators and other means as may be prescribed by law."

SEC. 52. The term corporation when used in this Constitution shall be construed to include all associations and joint-stock companies having any of the powers or privileges of corporations not possessed by

individuals or partnerships. And all corporations shall have the right to sue, and shall be subject to be sued in all courts in like cases as natural persons.

"SEC. 53. The Legislature shall have no power to pass any Act granting any charter for banking purposes; but associations may be formed, under general laws, for the deposit of gold and silver; but no such association shall make issue, or put in circulation, any bill, check, ticket, certificate, promissory note, or other paper, or the paper of any bank, to circulate as money."

SEC. 54. The Legislature of this State shall prohibit by law any person or persons, association or company or corporation from exercising the privilege of creating paper to circulate as money.

"SEC. 55. Each stockholder of a corporation or joint stock association shall be individually and personally liable for his proportion of all its debts and liabilities."

"SEC. 56. It shall be the duty of the Legislature to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and in contracting debts by such municipal corporations."

SEC. 57. The Legislature shall never grant divorces, but divorces may be obtained by civil action in the District Courts for the causes provided by law, but no person from whom a divorce is obtained shall during the lifetime of the person obtaining the divorce be allowed to again contract a marriage. This provision shall be enforced by suitable legislation.

SEC. 58. A member of the Legislature who shall solicit, demand or receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation or person, any money, office, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage, or promise thereof, for his vote or official influence, or for withholding the same, or with an understanding, expressed or implied, that his vote or official action shall be in any way influenced thereby, or who shall solicit or demand any such money or other advantage, matter or thing aforesaid for another, as the consideration of the payment or promise of such money, advantage, matter or thing to another, shall be held guilty of bribery within the meaning of this Constitution, and shall incur the disabilities provided thereby for said offense, and such additional punishment as is or shall be provided by law.

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SEC. 59. Any person who shall, directly or indirectly, offer, give or promise, any money, or thing of value, testimonial, privilege, or personal advantage, to any executive or judicial officer, or member of the Legislature, to influence him in the performance of any of his public or official duties, shall be guilty of bribery, and be punished in such manner as shall be provided by law.

SEC. 60. The offense of corrupt solicitation of members of the Legislature or of public officers of the State or of any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment.

SEC. 61. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practices of solicitation, and shall not be permitted to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceeding, except for perjury in giving such testimony, and any person convicted of either of the offenses aforesaid shall, as part of the punishment therefor, be disqualified from holding any office or position of honor, trust or profit in this State.

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